



THE STATE OF TEXAS §  
  §  
COUNTY OF ARANSAS §

COMMISSIONERS' COURT

## **COMMISSIONERS' COURT ORDER #0-12-2019**

### **THIRD AMENDED RULES OF PROCEDURE, CONDUCT AND DECORUM AT MEETINGS OF THE ARANSAS COUNTY COMMISSIONERS' COURT**

#### I.

All Regular, Special, Emergency and Executive Session Meetings of the Aransas County Commissioners' Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, *Chapter 551, Government Code*.

#### II.

Regular, Special, and Emergency Meetings of the Aransas County Commissioners' Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners' Court are not open to the public, the press or the media, and only those individuals expressly requested or ordered to be present are allowed to attend Executive Session.

#### III.

The Aransas County Commissioners' Court meets in Regular Session on the second and fourth Mondays of each month and every Monday in August. If the second and/or fourth Monday(s) falls on a County Holiday, Commissioners' Court will meet the following day. In order for a matter or issue to appear as an agenda item on the Agenda of any Regular Meeting of the Commissioners' Court, a request (and accompanying documentation) must be filed with and approved by at least one member of the Commissioner's Court and/or the County Judge by 12:00 pm (noon) on the Wednesday immediately preceding the next Regular Meeting of the Commissioners' Court. Commissioners' Court Agendas will be filed with the County Clerk no later than 2:00 pm on the Thursday preceding the Monday meetings. (Only emergency exceptions, approved by the County Judge, delayed and filed late through no fault of the proposer, will be made to this rule in order for the County Attorney, County Judge and Commissioners to have enough time to review documents being brought before the Commissioners' Court.)

#### IV.

The business of Aransas County is conducted by and between the members of the Aransas County Commissioners' Court and by those members of the County staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited to attend all meeting of the Commissioners' Court (except Executive Sessions), the public's participation therein is limited to that of observers unless a member (or members) of the public is requested to address the Commissioners' Court on a particular issue (or issues) or unless the member (or members) of the public complete(s) a Public Participation Form and submits same to the County Clerk prior to the time the agenda item (or items) is addressed by the Court. A sample of the Aransas County Commissioners' Court Public Participation Form is attached hereto as "Exhibit A".

- A. Each member of the public who appears before the Commissioners' Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners' Court.
- B. Maximum public discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners' Court on such agenda item (or items) shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address a particular agenda item (or items), then time allocated to members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items). Time may be yielded from one speaker to another.
- C. In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for all members of the public and/or the amount of time allocated for all agenda items and/or specific agenda item.
- D. It is the intention of the Court to provide an open access to the citizens of Aransas County to address the Commissioners' Court and its own members to express themselves on issues of County Government. However, members of the public and members of the Court are reminded that the Aransas County Commissioners' Court is a Constitutional Court, with both judicial and legislative powers, created under Article V, Section 1 and Section 18 of the Texas Constitution. As a Constitutional Court, the Aransas County Commissioners' Court also possesses the power to issue a Contempt of Court Citation under *Section 81.024 of the Texas Local Government Code*. Accordingly, as the presiding officer of the Commissioners' Court, the County Judge (or, in the absence of the County Judge, the designated Judge Pro-Tem of the Commissioners' Court) has the power to issue a Contempt of Court Citation. Therefore, members of the public in attendance and members of the Court in attendance at any Regular, Special and/or Emergency meeting of the Court shall conduct themselves with proper respect and decorum in speaking to and/or addressing the Court; in participating in public discussions before the Court, and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public and the Court who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered by the County Judge to leave the meeting. Refusal to abide by the Court's Order and/or continued disruption of the meeting may result in the County Judge issuing a Contempt of Court citation.
- E. It is not the intention of the Aransas County Commissioners' Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow one of its members, or a member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, or any member or members of the Court, individually or collectively, or county employee or any other person or persons. Accordingly, profane, insulting, slanderous or threatening language directed toward the Court, from anyone on the Court, and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. Nor will the Court tolerate racial, ethnic, religious, age, disability, or gender slurs or epithets. These Rules do not prohibit public criticism of the Commissioners' Court, including criticism of any act, omission, policy, procedure, program, or service. Violation of these rules may result in the following sanctions enforced by the County Judge (or Judge Pro-Tem) as the presiding officer of the Court:
1. cancellation of a speaker's remaining time;
  2. removed from the Commissioners' Courtroom;
  3. issuance of a Contempt Citation; and/or
  4. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

V.

The County Judge is the presiding officer of the Aransas County Commissioners' Court and is a fully participating member thereof. In the event of the absence of the County Judge, the Commissioner present with the longest tenure shall be the Judge Pro-Tem and shall serve as the presiding officer of the Court in all matters which require the action of the County Judge. However, nothing herein shall prevent any member from declining to serve as Judge Pro-Tem and from delegating this duty to another member of the Commissioners' Court.

VI.

The County Judge (or Judge Pro-Tem of the Commissioners' Court), as presiding officer of the Commissioners' Court, is responsible for conducting and maintaining order at all meetings. Members of the public who have properly completed a Public Participation Form and submitted the same to the County Clerk must wait to be recognized and be given the floor by the County Judge before they will be allowed to address the Court. To the extent possible, and where they would ordinarily apply to a governing body such as the Commissioners' Court, the County Judge should follow the most recent version of the Robert's Rules of Order in conducting court meetings; however, this parliamentary procedure is not mandatory on the County Judge, and he or she may deviate from these rules at his or her discretion. A majority vote by the remaining Commissioners' Court can require the presiding officer to follow any normal parliamentary rule of the Robert's Rules of Order.

VII.

Special Rules for the Press and Media:

- A. No media personnel or equipment, including lights, cameras or microphones, will be located on the Commissioners' Court bench nor closer than five feet (5') in front of the Commissioners' Court bench.
- B. Reporters and media technicians are required to structure their movements, equipment set-up and take-down and adjustments, etc., in such a manner as to not disrupt the Commissioners' Court deliberations or the ability of the public to see, hear, and participate in the proceedings.
- C. Interviews shall not be conducted inside the Commissioners' Courtroom during the time the Court is in session.
- D. Media interviews which are conducted outside the Commissioners' Court should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of any Regular, Special, Emergency and/or Executive Session Meeting of the Court.

VIII.

The Aransas County Sheriff, or his designated deputy, shall serve as the Bailiff at all Regular, Special and Emergency Meetings of the Court. However, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's Department, and the Commissioners' Court, the Court may designate any one or more commissioned County Peace Officer(s) to serve as Bailiff(s) as necessary.

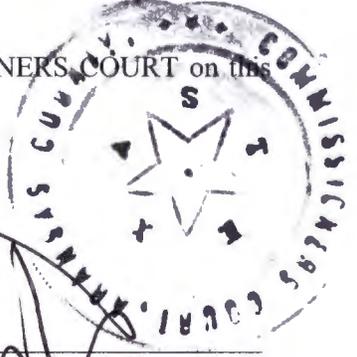
IX.

From time to time, Commissioners' Court shall conduct town meetings and public hearings. These **Third Amended Rules of Procedure, Conduct and Decorum** shall also apply to such town meetings and public hearings; however, the Commissioners' Court may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

X.

These **Third Amended Rules of Procedure, Conduct and Decorum at Meetings of the Aransas County Commissioners' Court** shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners' Court.

ADOPTED BY A MAJORITY VOTE OF THE ARANSAS COUNTY COMMISSIONERS COURT on this the 26<sup>th</sup> day of August, 2019.



A handwritten signature in black ink, appearing to read "C.H. Mills, Jr.", written over a horizontal line.

C.H. "BURT" MILLS, JR., County Judge

A handwritten signature in black ink, appearing to read "Jack Chaney", written over a horizontal line.

JACK CHANEY, Commissioner Pct. 1

A handwritten signature in blue ink, appearing to read "Charles Smith", written over a horizontal line.

CHARLES SMITH, Commissioner Pct. 3

A handwritten signature in black ink, appearing to read "Leslie Casterline", written over a horizontal line.

LESLIE CASTERLINE, Commissioner Pct. 2

A handwritten signature in black ink, appearing to read "Wendy Laubach", written over a horizontal line.

WENDY LAUBACH, Commissioner Pct. 4



A handwritten signature in blue ink, appearing to read "Valerie K. Amason", written over a horizontal line.

VALERIE AMASON, County Clerk

**EXHIBIT 'A'**

**ARANSAS COUNTY COMMISSIONERS' COURT  
PUBLIC PARTICIPATION FORM**

Instructions: Fill out all appropriate blanks. Please print or write legibly.

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Home Phone No.: \_\_\_\_\_

Mobile/Cell No.: \_\_\_\_\_

Place of Employment: \_\_\_\_\_

Work Telephone No.: \_\_\_\_\_

Do you represent any particular group or organization? \_\_\_\_\_

If you do represent a group or organization, please state the name, address and telephone number of such group or organization:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Which agenda item (or subject) do you wish to address?

\_\_\_\_\_  
\_\_\_\_\_

In general, are you for or against such agenda item (or subject)? \_\_\_\_\_

Signature: \_\_\_\_\_

***NOTE: This Public Participation Form must be presented to the County Clerk prior to the time that Commissioners' Court convenes. Each member of the public who appears before the Court shall be limited to a maximum of five (5) minutes to make his/her remarks. In accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item which has not been posted on the agenda.***